

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARIA JOSE PIZARRO

Plaintiff,

-against-

EUROS EL TINA RESTAURANT LOUNGE and
BILLIARDS CORP., AND SANTIAGO QUEZADA.

Defendants.

No. 1:20-cv-05783-AKH

**DECLARATION OF MARTIN RESTITUYO IN OPPOSITION TO PLAINTIFF'S
MOTION FOR TURNOVER AND REGISTRATION OF JUDGMENT**

MARTIN E. RESTITUYO an attorney duly admitted to practice law before this Court, declare the following under penalty of perjury:

1. I am the founder of the Law Offices of Martin E. Restituyo, P.C., counsel for Santiago Quezada (the "Defendants"), and as such am fully familiar with the facts herein.
2. I submit this declaration in opposition to Plaintiff's motion for turnover and registration of a judgment.
3. As the Court is aware, Plaintiff obtained a judgment against the Defendant in the amount of \$1.625 million. SDNY ECF Doc. 194.
4. The Defendant is appealing that judgment, and the appeal is scheduled to be heard by the Second Circuit Court of Appeals on September 17, 2025. Exhibit A.
5. In the interim, Plaintiff has taken various steps to collect on her judgment, inclusive of seeking the appointment of a receiver to collect against Defendant's assets in the Dominican Republic (SDNY ECF Docs. 238 -240) and commencing an action in the Supreme Court of New York, Westchester County to force the sale of Defendant's house. Exhibit B.

6. Via the current motion, Plaintiff seeks a turnover of Defendants' personal property as well as permission to register the judgment in the United States District Court for the Northern District of Illinois. SDNY ECF Docs. 247

7. As far as we can tell, Plaintiff has provided no evidence that the Defendant has any assets in the Northern District of Illinois.

8. Plaintiff's Memorandum of law indicates that Defendant has trading accounts on the NinjaTrader platform and on the Tastytrade platform. P's Memo at 1.

9. Though not explicitly stated, Plaintiff alludes to the fact that these assets are located in Illinois.

10. Plaintiff's position is difficult to understand because it is unclear where there is any link to the assets and the offices associated with these companies.

11. To be sure, upon information and belief, up until March of this year NinjaTrader LLC maintained offices at 222 N LaSalle Street, Suite 1450, Chicago, IL 60601, and 1422 Delgany Street, Suite 400, Denver, CO 80202.

12. In May of this year, NinjaTrader was purchased by Kraken, a company from San Francisco, California who recently moved its headquarters to Cheyenne, Wyoming. A copy of the press release announcing the acquisition is attached hereto as Exhibit C.

13. For the foregoing reasons, and as further detailed in the accompanying Memorandum of Law, Plaintiff's Motion for Turnover and Registration of Judgment should be denied.

Dated: New York, New York
August 22, 2025

/s/ Martin E. Restituyo
Martin E. Restituyo, Esq.